



LEGISLATIVE INTENT LANGUAGE

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY APPROPRIATIONS SUBCOMMITTEE
STAFF: IVAN DJAMBOV & LACEY MOORE

ISSUE BRIEF

The following is the summary of the legislative intent language proposed for the agencies in the Natural Resources, Agriculture, & Environmental Quality Appropriations Subcommittee, included in the Base Budget (S.B. 5):

Intent Language for Current Fiscal Year (SB05 – Section 1)

Department of Agriculture

1. Agriculture - Administration

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Administration in Item 44, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures from General Fund are limited to: Computer equipment/Software \$100,000; Employee Training/Incentives \$100,000; Equipment/Supplies \$55,000; Furnishings/Equipment \$95,000.

2. Agriculture - Animal Health

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Animal Health in Item 45, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures from General Fund are limited to: Computer Equipment/Software \$150,000; Employee Training/Incentives \$139,100; Special Projects/Studies \$267,100.

3. Agriculture – Industrial Hemp

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Industrial Hemp in Item 242, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of Dedicated Credits are limited to: \$400,000 for Employee Training/Incentives, Equipment, and Laboratory Supplies.

4. Agriculture - Invasive Species Mitigation

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Invasive Species Mitigation in Item 47, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of these funds are limited to \$750,000 for Invasive Species Mitigation Projects.

5. Agriculture - Marketing and Development

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Marketing and Economic Development in Item 48, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of General Fund are limited to: Employee Training/Incentives \$13,500; Equipment/Supplies \$16,500.

6. Agriculture - Medical Cannabis

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for the Medical Cannabis line item in Item 241, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of Dedicated Credits are limited to: \$200,000 for the purchase of laboratory equipment for the Medical Cannabis program and Employee Training and Incentives.

7. Agriculture - Plant Industry

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Plant Industry in Item 49, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of General Fund are limited to Capital Equipment or Improvements \$305,800; Computer Equipment/Software \$224,700; Employee Training/Incentives \$63,300; Equipment/Supplies \$105,500; Special Projects/Studies \$172,600. Expenditures of Dedicated Credits are limited to \$500,000 to purchase equipment necessary for inspectors and the chemistry laboratory, and special projects.

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Plant Industry in Item 166, Chapter 416, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of General Fund are limited to previously obligated Watershed Restoration projects \$400,000.

8. Agriculture - Predatory Animal Control

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Predatory Animal Control in Item 50, Chapter 3, Laws of Utah 2020 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to Supplies/Equipment \$50,000.

9. Agriculture - Rangeland Improvement

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Rangeland Improvement in Item 51, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of these funds are limited to Rangeland Improvement Projects \$300,000.

10. Agriculture - Regulatory Services

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Regulatory Services in Item 52, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of General Fund are limited to: Computer Equipment/Software \$292,100; Employee Training/Incentives \$51,700; Equipment/Supplies \$162,600; Special Projects/Studies \$235,700. Expenditures of Dedicated Credits are limited to: \$500,000 for laboratory equipment for the fuel, metrology, and chemistry laboratories, as well as replacement and repair of a large scale truck.

11. Agriculture - Resource Conservation

Under the terms of 63J-I-603 of the Utah Code, the Legislature intends that appropriations provided for Resource Conservation in Item 53, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditure of these funds are limited to: Resource Conservation projects \$542,200.

Department of Environmental Quality

12. Environmental Quality - Air Quality

Under terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Division of Air Quality in the Laws of Utah 2020, Chapter 3, Item 55 shall not lapse at the close of FY2021. Expenditures of non-lapsing funds are limited to the following needs/activities: \$380,000 - Air Quality Research Projects \$12,000 - Mobile Monitoring

Data Collection \$4,100,000 - Electric Vehicle Charging Equipment \$6,500,000 - Replace Wood-Fired Stoves and Fireplaces with Gas Appliances \$500,000 - Air Monitoring Equipment \$100,000 - Reducing Future Operating Permit Fees.

13. Environmental Quality - Drinking Water

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Drinking Water in the Laws of Utah 2020, Chapter 3, Item 56 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to DW Source Water Sizing Requirements \$268,700.

14. Environmental Quality - Environmental Response & Remediation

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Environmental Response and Remediation in the Laws of Utah 2020, Chapter 3, Item 57 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to Underground Storage Tank (UST) Certification program \$25,000; equipment and software upgrades \$20,000; database upgrades and maintenance \$50,000.

15. Environmental Quality - Executive Director's Office

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Executive Directors Office in the Laws of Utah 2020, Chapter 3, Item 58 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to high level nuclear waste opposition \$10,000; capital improvements/maintenance, DP Software, and equipment \$450,000; administrative law judge \$150,000.

16. Environmental Quality - Waste Management & Radiation Control

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Waste Management and Radiation Control in the Laws of Utah 2020, Chapter 3, Item 59 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to community outreach and public education \$25,000; research and creation of new programming/databases \$600,000; Capital improvements/maintenance, DP software, and equipment \$25,000.

17. Environmental Quality - Water Quality

- a. Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Division of Water Quality in the Laws of Utah 2020, Chapter 3, Item 60 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to independent scientific review activities as outlined in R317-1-10 \$97,200; DP Software and Consultant Services \$80,000; equipment \$50,000.
- b. The Legislature intends that ongoing funds appropriated to the Division of Water Quality for independent scientific review in the 2016 General Session S.B. 110 be used on activities to support the Water Quality Act as outlined in R317-1-10.

18. Environmental Quality - Trip Reduction Program

Under terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Division of Air Quality in the Laws of Utah 2020, Chapter 3, Item 61 shall not lapse at the close of FY2021. Expenditures of non-lapsing funds are limited to \$500,000 - Reduction of Trips - Fare Days.

Office of Energy Development

19. Gov. Office of Energy Development - Office of Energy Development

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Office of Energy Development, Laws of Utah 2020, Chapter 3, Item 62 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to \$178,500 for OED administration special projects, \$26,700 for State Energy Program programs and projects, and \$1,000,000 for the Isotopes Research Center.

Department of Natural Resources

20. Natural Resources – Administration

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Natural Resources - Administration in Item 94, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Non lapsing funds are limited to operating budget items \$225,000.

21. Natural Resources - DNR Pass Through

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Department of Natural Resources in Item 96, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of these funds are limited to Pass Through Funds (RHAA) that have been obligated by contract but unexpended at the end of fiscal year 2021, up to \$2,000,000.

22. Natural Resources - Forestry, Fire and State Lands

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Division of Forestry, Fire, and State Lands in Item 97, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of these funds are limited to: Sovereign Lands Related Projects \$5,109,200; Little Willow Water Line \$17,800; Shared Stewardship \$1,670,000; Aspen Regeneration \$1,603,000; and Fire Mitigation \$1,000,000.

23. Natural Resources - Oil, Gas and Mining

Under the terms of 63J-1-603 of the Utah Code, the legislature intends that appropriations provided for the Division of Oil, Gas and Mining in Item 98, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY2021. Expenditures of these funds are limited to: Mining Special Projects/Studies \$250,000; Computer Equipment/Software \$50,000; Employee Training/Incentives \$50,000; Equipment/Supplies \$50,000.

24. Natural Resources - Species Protection

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Species Protection program in Item 100, Chapter 3, Laws of Utah 2020 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to projects started in 2021: \$200,000.

25. Natural Resources - Utah Geological Survey

a. Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Utah Geological Survey in the Laws of Utah 2020, Chapter 3, Item 101 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to Operating Budget Items: \$506,000.

b. Under terms of 63J-1-603 of the Utah Code, the Legislature intends that the \$1,000,000 appropriation for the Bonneville Salt Flats Restoration Project shall not lapse at the close of FY 2021.

26. Natural Resources - Water Resources

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Division of Water Resources in Item 102, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditures of these funds are limited to: Operating Budget Items \$300,000; Water Conservation Funding \$300,000; Water Banking \$300,000; Dam Safety Construction Project \$1,500,000; Water Infrastructure \$425,000; Agricultural Water Optimization \$600,000; and Transparent Water Billing \$2,000,000.

27. Natural Resources - Water Rights

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Division of Water Rights in the Laws of Utah 2020, Chapter 3, Item 67 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to Operating Budget Items: \$500,000.

28. Natural Resources - Watershed

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Watershed program in Item 103, Chapter 3, Laws of Utah 2020 shall not lapse at the close of FY 2021. Expenditures of these funds are limited to projects started in FY 2021: \$3,000,000.

29. Natural Resources - Wildlife Resources

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Wildlife Resources Predator Control Program in the Laws of Utah 2020, Chapter 3, Item 68 shall not lapse at the close of Fiscal Year 2021; expenditures are limited to: Implementation of the Predator Control Program Plan, \$200,000.

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Wildlife Resources Mule Deer Protection Program in the Laws of Utah 2020, Chapter 3, Item 68 shall not lapse at the close of FY21; expenditures are limited to: Implementation of the Mule Deer Protection Plan, \$200,000.

The Legislature intends that up to \$700,000 of Wildlife Resources budget be used for big game depredation expenses and that these funds shall not lapse at the close of FY2021. The Legislature further intends that half of the funds be from the General Fund Restricted - Wildlife Resources account and the other half from the General Fund.

30. Natural Resources - Wildlife Resources Capital

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Wildlife Resources Capital line item in the Laws of Utah 2020, Chapter 3, Item 69 shall not lapse at the close of FY2021. Expenditures of these funds are limited to Operations and Maintenance of the Hatchery Systems in the state.

Public Land Policy Coordinating Office

31. Public Lands Policy Coordinating Office - Public Lands Policy Coordination

Under the terms of 63J-1-603 of the Utah Code, the legislature intends that General Fund appropriations provided for the Public Lands Policy Coordinating Office, in Item 70, Chapter 3, Laws of Utah 2020, shall not lapse at the close of FY 2021. Expenditure of these funds are limited to: activities and opportunities related to our Shared Stewardship Agreement with the Forest Service \$500,000; RS2477 and other litigation \$1,134,900; Wild Horse and Burro Management \$325,000; and to offset future volatility of the Constitutional Defense Restricted Account \$370,000.

Intent Language for New Fiscal Year (SB05 – Section 2)

Department of Agriculture

1. Agriculture - Administration

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Administration line item, whose mission is "Promote the healthy growth of Utah agriculture, conserve our natural resources and protect our food supply": (1) Sample turnaround time (Target = 12 days), (2) Cost per sample (Target = \$220), (3) Cost per test (Target = \$80), and ~~(4) Implementation of Cannabis testing program (Target = 100% complete)~~ by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

2. Agriculture - Agriculture Loan Programs

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Agriculture Loan Programs line item, whose mission is "To serve and deliver financial services to our agricultural clients and partners through delivery of effective customer service and efficiency with good ethics and fiscal responsibility:" (1) Keep UDAF Agriculture Loan default rate lower than average bank default rates of 3% per fiscal year (Target = 2% or less), (2) Receive unanimous commission approval for every approved loan (Target = 100%), and (3) Receive commission approval within 3 weeks of application completion (Target = 100%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

3. Agriculture - Animal Health

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Animal Health line item, Livestock Inspection Program, whose mission is "to deny a market to potential thieves & to detect the true owners of livestock. It is the mission of the Livestock Inspection Bureau to provide quality, timely, and courteous service to the livestock men and women of the state, in an effort to protect the cattle and horse industry": (1) Increase education to industry and public on correct practices to verify and record changes of ownership when selling or buying livestock in the State of Utah (Target = 40 hours of training); (2) Meat Inspection – Ensure 70% of all sanitation tasks are performed (Target = 70%); (3) Increase number of animal traces completed in under one hour (Target = Increase by 5%); (4) Decrease the amount of hours taken to rid nuisance predator animals (Target = 1% decrease); (5) Increase total attendance at animal health outreach events (Target = 10% increase) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

4. Agriculture – Industrial Hemp

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Industrial Hemp line item, whose mission is to "support Utah's industrial hemp cultivators, processors and retail establishments by ensuring compliance with state law and providing for the safety of consumers through regulatory oversight within the supply chain": (1) Conduct inspections of licensed industrial hemp processors in order to validate inbound and outbound material both originates from and is delivered to an authorized licensee (Target = 80% of licensed processors in the state inspected each year), (2) Conduct product potency inspections throughout the calendar year to measure accuracy in marketing (Target = 6% of all retail products), and (3) Ensure that hemp products introduced into the Utah marketplace are registered, as measured by retail inspections resulting in a non-registered product rate of less than 15 percent, annually (Target = <15% products unregistered).

5. Agriculture - Invasive Species Mitigation

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Invasive Species Mitigation line item, whose mission is "to help government and private entities control noxious weeds in the state through providing project funding and help those entities meet the requirements of the Noxious Weed Act": (1) SUCCESS QT (Target = 25%), (2) EDRR Points treated (Target = 40% increase), (3) Monitoring results for 1 and 5 years after treatment (Target = 100%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

6. Agriculture - Marketing and Development

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Marketing line item, whose mission is "Promoting the healthy growth of Utah agriculture": (1) UDAF website session duration (Target = 2 minutes 45 seconds), (2) UDAF social media follower increase (Target = 5%), (3) Utah's Own website session duration (Target = 1 minute 45 seconds), (4) Utah's Own social media follower increase (Target = 10%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

7. Agriculture - Medical Cannabis

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Medical Cannabis line item, whose mission is "to ensure and facilitate an efficient, responsible, and legal medical marijuana industry to give patients a safe and affordable product": (1) Inspect Medical Cannabis Production Establishments to validate compliance with state statute and rules (Target = 100% of licensees inspected twice a year), (2) Use sampling procedures to ensure medical cannabis products are safe for consumption (Target = <5% of inspected products violate safety standards), and (3) Support the Medical Cannabis industry in distributing products to pharmacies by responding to Licensed Cannabis Facility and Agent requests within 5 business days (Target = 90% of responses within 5 business days).

8. Agriculture - Plant Industry

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Plant Industry line item, whose mission is "ensuring consumers of disease free and pest free plants, grains, seeds, as well as properly labeled agricultural commodities, and the safe application of pesticides and farm chemicals": (1) Pesticide Compound Enforcement Action Rate (Target = 20%), (2) Fertilizer Compliance Violation Rate (Target = 5%), and (3) Seed Compliance Violation Rate (Target = 10%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

9. Agriculture - Predatory Animal Control

a. The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Predatory Animal Control line item, whose mission is "protecting Utah's agriculture including protecting livestock, with the majority of the program's efforts directed at protecting adult sheep, lambs and calves from predation": (1) Decrease the amount of predation from bears, by increasing count of animals and decreasing staff hours (Target = 68 hours per bear), (2) Decrease the amount of predation from lions, by increasing count of animals and decreasing staff hours (Target = 92 hours per lion), (3) Decrease the amount of predation from coyotes, by increasing count of animals and decreasing staff hours (Target = 24 hours per 10 coyotes) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

- b. The Legislature intends that the Utah Department of Agriculture and Food utilize General Fund appropriations for the purchase of two (2) predator control vehicles and related equipment.

10. Agriculture - Rangeland Improvement

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Rangeland Improvement line item, whose mission is "to improve the productivity, health and sustainability of our rangelands and watersheds": (1) Number of Animal Unit Months Affected by GIP Projects per Year (Target = 160,000), (2) Number of Projects with Water Systems Installed Per Year (Target = 50/year), and (3) Number of GIP Projects that Time, Timing, and Intensity Grazing Management to Improve Grazing Operations (Target = 15/year) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

11. Agriculture - Regulatory Services

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Regulatory Services line item, whose mission is "Through continuous improvement, become a world class leader in regulatory excellence through our commitment to food safety, public health and fair and equitable trade of agricultural and industrial commodities": (1) Reduce the number of "Critical" violations observed on dairy farms and thereby reduce the number of follow up inspections required (Target = 25% of current), (2) Reduce the number of retail fuel station follow up inspections by our weights and measures program (Target = increase to 85% compliance), and (3) Reduce the number of observed Temperature Control violations observed by our food program inspectors at retail (Target = 25% improvement) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

12. Agriculture - Resource Conservation

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the Resource Conservation line item, whose mission is "to assist Utah's agricultural producers in caring for and enhancing our state's vast natural resources": (1) Number of Utah conservation commission projects completed (Target = 0), (2) Reduction in water usage after Water Optimization project completion (Target = 10%), and (3) Real time measurement of water for each of Water Optimization project (Target = 100%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

13. Agriculture - Utah State Fair Corporation

The Legislature intends that the Department of Agriculture and Food report on the following performance measures for the State Fair line item, whose mission is "maximize revenue opportunities by establishing strategic partnerships to develop the Fairpark": (1) Develop new projects on the fair grounds and adjacent properties, create new revenue stream for the Fair Corporation (Target = \$150,000 dollars in new incremental revenue), (2) Annual Fair attendance (Target = 5% increase in annual attendance), (3) Increase Fairpark net revenue (Target = 5% increase in net revenue over FY 2020) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

Department of Environmental Quality

14. Environmental Quality - Air Quality

The Legislature intends that the Division of Air Quality report on the following performance measures for the division, whose mission is "to protect public health and the environment from the harmful effects of air pollution": (1) Percent of facilities inspected that are in compliance with permit requirements (Target = 100%), (2) Percent of approval orders that

are issued within 180-days after the receipt of a complete application (Target = 95%), (3) Percent of data availability from the established network of air monitoring samplers for criteria air pollutants (Target = 100%), (4) Per Capita Rate of State-Wide Air Emissions (Target = 0.63), by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

15. Environmental Quality - Drinking Water

The Legislature intends that the Division of Drinking Water report on the following performance measures for the division, whose mission is "to cooperatively work with drinking water professionals and the public to ensure a safe and reliable supply of drinking water": (1) Percent of population served by Approved public water systems (Target = 95%) and (2) Percent of water systems with an Approved rating (Target = 95%) (3) Decrease the average number of days for regulated entities to reach compliance (Target = Deficiencies < 205 days; Violations < 105 days) by October 31, 2021, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

16. Environmental Quality - Environ Response & Remediation

The Legislature intends that the Division of Environmental Response and Remediation report on the following performance measures for the division, whose mission is "to protect public health and Utah's environment by cleaning up contaminated sites, helping to return contaminated properties to a state of beneficial reuse, ensuring underground storage tanks are managed and used properly, and providing chemical usage and emission data to the public and local response agencies": (1) Percent of UST facilities in Significant Operational Compliance at time of inspection, and in compliance within 60 days of inspection (Target = 70%), (2) Leaking Underground Storage Tank (LUST) site release closures, (Target = 80), (3) Issued brownfields tools facilitating cleanup and redevelopment of impaired properties, (Target = 18), by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

17. Environmental Quality - Executive Director's Office

The Legislature intends that the Department of Environmental Quality, Executive Director's Office report on the following performance measures for the division, whose mission is "safeguarding and improving Utah's air, land and water through balanced regulation": (1) Percent of systems within the Department involved in a continuous improvement project in the last year (Target = 100%), (2) Percent of customers surveyed that reported good or exceptional customer service (Target = 90%), and (3) Number of state audit findings/Percent of state audit findings resolved within 30 days (Target = 0 and 100%), by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

18. Environmental Quality - Waste Mgmt. & Radiation Control

The Legislature intends that the Department of Environmental Quality report on the following performance measures for the Division of Waste Management and Radiation Control, whose mission is "to protect human health and the environment by ensuring proper management of solid wastes, hazardous wastes and used oil, and to protect the general public and occupationally exposed employees from sources of radiation that constitute a health hazard": (1) Percent of x-ray machines in compliance (Target = 90%), (2) Percent of permits and licenses issued/modified within set timeframes (Target = 90%), (3) Compliance Assistance for Small Businesses (Target = 65 businesses), by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

19. Environmental Quality - Waste Tire Recycling Fund

The Legislature intends that the Department of Environmental Quality report on the following performance measure for the Waste Tire Recycling fund, whose funding shall be used "for partial reimbursement of the costs of transporting, processing, recycling, or disposing of waste tires and payment of administrative costs of local health departments or costs of the Department of Environmental Quality in administering and enforcing this fund": (1) Number of Waste Tires Cleaned-Up (Target = 50,000), by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

20. Environmental Quality - Water Quality

The Legislature intends that the Department of Environmental Quality report on the following performance measures for the Division of Water Quality, whose mission is "to protect, maintain and enhance the quality of Utah's surface and underground waters for appropriate beneficial uses; and protect the public health through eliminating and preventing water related health hazards which can occur as a result of improper disposal of human, animal or industrial wastes while giving reasonable consideration to the economic impact": (1) Percent of permits renewed "On-time" (Target = 95%), (2) Percent of permit holders in compliance (Target = 90%), (3) Municipal wastewater effluent quality measured as mg/L oxygen consumption potential (Target = state average attainment of 331 mg/L oxygen consumption potential by 2025), by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

Office of Energy Development

21. Gov. Office of Energy Development - Office of Energy Development

The Legislature intends that the Office of Energy Development, whose mission is "to advance Utah's energy and minerals economy through energy policy; energy infrastructure and business development; energy efficiency and renewable energy programs; and energy research, education and workforce development," report on the following performance measures: (1) Private Investment Leveraged. (Target = \$39); (2) Constituents Directly Educated (Target = 18,686); (3) Percent of annual objectives achieved in U.S. D.O.E. funded programs. (Target = 100%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

Department of Natural Resources

22. Natural Resources – Administration

- a. The Legislature intends that the Department of Natural Resources transfer the appropriated funding for the Bear Lake Commission only as a one-to-one match with funds from the State of Idaho.
- b. The Legislature intends that the Department of Natural Resources report on the following performance measures for the DNR Administration line item, whose mission is "to facilitate economic development and wise use of natural resources to enhance the quality of life in Utah:" (1) To keep the ratio of total employees in DNR in proportion to the employees in DNR administration at greater than or equal to 55:1 (Target = 55:1), (2) To continue to grow non-general fund revenue sources in order to maintain a total DNR non-general fund ratio to total funds at 80% or higher (Target = 80%), (3) To perform proper and competent financial support according to State guidelines and policies for DNR Administration by reducing the number of adverse audit findings in our quarterly State Finance audit reviews (Target = zero with a trend showing an annual year-over-year reduction in findings) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

23. Natural Resources - Building Operations

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Building Operations line item, whose mission is "to properly pay for all building costs of the DNR headquarters located in Salt Lake City:" (1) Despite two aging facilities, we have a goal to request DFCM keep our O&M rates at the current cost of \$4.25 (Target = \$4.25), (2) To have the DFCM O&M rate remain at least 32% more cost competitive than the private sector rate (Target = 32%), (3) To improve building services customer satisfaction with DFCM facility operations by 10% (Target = 10%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

24. Natural Resources - Contributed Research

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Wildlife Resources Contributed Research line item, whose mission is "To serve the people of Utah as trustee and guardian of state's wildlife:" (1) Percentage of mule deer units at or exceeding 90% of their population objective (Target = 50%), (2) Percentage of elk units at or exceeding 90% of their population objective (Target = 75%), and (3) Maintain positive hunter satisfaction index for general season deer hunt (Target = 3.3) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

25. Natural Resources - Cooperative Agreements

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Wildlife Resources Cooperative Studies line item, whose mission is "To serve the people of Utah as trustee and guardian of state's wildlife:" (1) Aquatic Invasive Species containment - number of public contacts and boat decontaminations (Targets = 175,000 contacts and 2,000 decontaminations), (2) Number of new wildlife species listed under the Endangered Species Act (Target = 0), and (3) Number of habitat acres restored annually (Target = 100,000) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

26. Natural Resources - ISF - DNR Internal Service Fund

The Legislature intends that the Department of Natural Resources report on the following performance measures for the DNR ISF line item, whose mission is "to provide a convenient and efficient low cost source of uniforms and supplies for DNR employees and programs:" (1) The number of complaints received by the director overseeing warehouse operations (Target = zero with a trend showing an annual year-over-year reduction in complaints), (2) The number of uniform items sold (Target = 10,000), (3) To adjust rates such that retained earnings are within plus or minus 5% of annual revenues (Target = plus or minus 5% of revenues) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

27. Natural Resources - DNR Pass Through

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Pass Through line item, whose mission is "to carry out pass through requests as directed by the legislature:" (1) To pass funding from legislative appropriations to other entities, such as zoos, counties, and other public and non-public entities. The goal is to complete these transactions in accordance with legislative direction (Target = 100%), (2) To provide structure and framework to ensure funds are properly spent and keep the costs of auditing and administering these funds at 8% or less of the funding appropriated for pass through (Target = 8%), (3) To complete the project(s) within the established timeframe(s) and budget (Target = 100%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

28. Natural Resources - Forestry, Fire and State Lands

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Forestry, Fire, and State Lands line item, whose mission is "to manage, sustain, and strengthen Utah's forests, range lands, sovereign lands and watersheds for its citizens and visitors:" (1) Fuel Reduction Treatment Acres (Target = 4,495), (2) Fire Fighters Trained to Meet Standards (Target = 3,190), and (3) Communities With Tree City USA Status (Target = 89) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

29. Natural Resources - Oil, Gas and Mining

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Oil, Gas, and Mining line item, whose mission is "The Division of Oil, Gas and Mining regulates and ensures industry compliance and site restoration while facilitating oil, gas and mining activities:" (1) Timing of Issuing Coal Permits (Target = 100%), (2) Average number of days between well inspections (Target = 365 days or less), and (3) Average number of days to conduct inspections for Priority 1 sites (Target = 90 days or less) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

30. Natural Resources - Parks and Recreation

a. The Legislature intends that the Division of Parks and Recreation report on the following performance measures for the Operations line item, whose mission is "To enhance the quality of life by preserving and providing natural, cultural, and recreational resources for the enjoyment, education, and inspiration of this and future generations:" (1) Total Revenue Collections (Target = \$48,000,000), (2) Gate Revenue (Target = \$30,500,000), and (3) Expenditures (Target = \$43,000,000) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

b. The Legislature intends that the General Fund appropriation for the Parks and Recreation line item shall be used primarily for the operations and maintenance of the division's heritage parks, museums, and This Is the Place Heritage Park. Upon request, the division shall provide detailed documentation as to how the Division's general fund appropriation was spent.

31. Natural Resources - Parks and Recreation Capital

The Legislature intends that the Division of Parks and Recreation report on the following performance measures for the Capital line item, whose mission is "To enhance the quality of life by preserving and providing natural, cultural, and recreational resources for the enjoyment, education, and inspiration of this and future generations:" (1) Donations Revenue (Target = \$125,000), (2) Capital renovation projects completed (Target = 15), and (3) Boating projects completed (Target = 5) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

32. Natural Resources - Species Protection

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Species Protection line item, whose mission is "To eliminate the need in Utah for federal regulatory intervention and oversight associated with the Endangered Species Act:" (1) Delisting or Downlisting (Target = one delisting or downlisting proposed or final rule published in the Federal Register per year), (2) Red Shiner Eradication (Target = Eliminate 100% of Red Shiner from 37 miles of the Virgin River in Utah), and (3) June Sucker Population Enhancement (Target = 5,000 adult spawning June Sucker) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

33. Natural Resources - Utah Geological Survey

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Utah Geological Survey line item, whose mission is "to provide timely, scientific information about Utah's geologic environment, resources, and hazards:" (1) Total number of individual item views in the UGS GeoData Archive (Target = 1,00,000), (2) Total number of website user requests/queries to UGS interactive map layers (Target = 7,500,000), and (3) Public engagement of UGS reports and publications (Target = 65,000 downloads) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

34. Natural Resources - Water Resources

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Water Resources line item, whose mission is to "plan, conserve, develop and protect Utah's water resources:" (1) Water conservation and development projects funded (Target = 15), (2) Reduction of per capita M&I water use (Target = 25%), and (3) Percentage of precipitation increase due to cloud seeding efforts (Target = 7%) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

35. Natural Resources - Water Resources Revolving Construction Fund

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Water Resources Revolving Construction Fund line item, whose mission is to "plan, conserve, develop and protect Utah's water resources:" (1) Dam Safety minimum standards upgrade projects funded per fiscal year (Target = 2), (2) Percent of appropriated funding to be spent on Dam Safety projects (Target = 100%), and (3) Timeframe by which all state monitored high hazard dams will be brought up to minimum safety standards (Target = year 2084) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

36. Natural Resources - Water Rights

The Legislature intends that the Division of Water Rights report on the following performance measures for the Division of Water Rights line item, whose mission is "to promote order and certainty in the beneficial use of public water:" (1) Timely Application processing (Target = 80 days for uncontested applications), (2) Use of technology to provide information (Target = 1500 unique web users per month), and (3) Parties that have been noticed in comprehensive adjudication (Target = 20,000) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

37. Natural Resources - Watershed Restoration Initiative

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Watershed line item, whose mission is the "rehabilitation or restoration of priority watershed areas in order to address the needs of water quality and yield, wildlife, agriculture and human needs." Performance measures will exclude fire rehabilitation projects and funding. (1) Number of acres treated (Target = 100,000 acres per year), (2) State of Utah funding leverage with partners for projects completed through WRI (Target = 3), and (3) Miles of stream and riparian areas restored (Target = 150 miles) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

38. Natural Resources - Wildland Fire Suppression Fund

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Wildland Fire Suppression Fund line item managed by the Division of Forestry, Fire, and State Lands, whose mission

is "to manage, sustain, and strengthen Utah's forests, range lands, sovereign lands and watersheds for its citizens and visitors:" (1) Non-federal wildland fire acres burned (Target = 67,116), (2) Human-caused wildfire rate (Target = 50%), and (3) Number of counties and municipalities participating with the Utah Cooperative Wildfire system (Target = all 29 counties, and an annual year-over increase in the number of participating municipalities) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

39. Natural Resources - Wildlife Resources

- a. The Legislature intends that the Department of Natural Resources report on the following performance measures for the Wildlife Resources Operations line item, whose mission is "To serve the people of Utah as trustee and guardian of state's wildlife:" (1) Number of people participating in hunting and fishing in Utah (Target = 700,000 anglers and 350,000 hunters), (2) Percentage of law enforcement contacts without a violation (Target = 90%), and (3) Number of participants at DWR shooting ranges (Target = 90,000) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.
- b. The legislature intends that the General Fund appropriation for the Division of Wildlife Resources line item RFAA shall be used for making the mutually agreed upon \$1,000,000 payment to the Utah School and Institutional Trust Lands Administration (SITLA) to preserve access to public land for hunters and wildlife dependent recreation.
- c. The legislature intends that up to \$2,745,000 of the General Fund appropriation for the Division of Wildlife Resources line item RFAA shall be used for efforts to contain aquatic invasive species at Lake Powell and prevent them from spreading to other waters in Utah. Upon request the division shall provide detailed documentation as to how its appropriation from the General Fund was spent.
- d. The legislature intends that the Division of Wildlife Resources spends up to \$400,000 on livestock damage.

40. Natural Resources - Wildlife Resources Capital

The Legislature intends that the Department of Natural Resources report on the following performance measures for the Wildlife Resources Capital Facilities line item, whose mission is "To serve the people of Utah as trustee and guardian of state's wildlife:" (1) Average score from annual DFCM facility audits (Target = 90%), (2) New Motor Boat Access projects (Target = 10), and (3) Number of hatcheries in operation (Target = 12) by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

Public Land Policy Coordinating Office

41. Public Lands Policy Coordinating Office - Public Lands Policy Coordination

The Legislature intends that the Public Lands Policy Coordinating Office report on the following performance measures for the PLPCO line item, whose mission is "to preserve and defend rights to access, use and benefit from public lands within the State": (1) Percentage of Utah Counties which reported PLPCO's work as "very good" (Target = 70%), (2) Percentage of State Natural Resource Agencies working with PLPCOs which reported PLPCO's work as "good" (Target = 70%), (3) Percentage of Administrative comments and legal filings prepared and submitted in a timely manner (Target = 70%), by October 31, 2021 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

School and Institutional Trust Lands Administration

42. School and Inst Trust Lands - Operations

The Legislature intends that the School and Institutional Trust Lands Administration report on the following performance measures for the Operations line item, whose mission is "to generate revenue in the following areas by leasing and

administering trust parcels": (1) Oil and Gas gross revenue (Target = \$20,360,000), (2) Mining gross revenue (Target = \$8,700,000), and (3) Surface gross revenue (Target = \$17,830,000) by October 31, 2022 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

43. School and Inst Trust Lands - Land Stewardship and Restoration

The Legislature intends that the School and Institutional Trust Lands Administration report on the following performance measures for the Stewardship line item, whose purpose is "to mitigate damages to trust parcels or preserve the value of the asset by preventing degradation": (1) Mitigation, facilitation of de-listing or preventing the listing of sensitive species such as Sage Grouse, Penstemon and the Utah Prairie Dog (Target = \$200,000), (2) Fire rehabilitation on trust parcels (Target = up to \$600,000), (3) Rehabilitation on Lake Mountain Block (Target = \$50,000) by October 31, 2022 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.

44. School and Inst Trust Lands - SITLA Capital

The Legislature intends that the School and Institutional Trust Lands Administration report on the following performance measures for the Development Capital line item, whose mission is "Administering trust lands prudently and profitably for Utah's schoolchildren and other trust beneficiaries": (1) Planning and Development revenue (Target => \$16,200,000, (2) Acquire water rights for use in future projects (Target = \$1,500,000), (3) Begin planning and infrastructure expenditures for the Inland Port (Target = \$500,000) by October 31, 2022 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.
